

CARLOS M. RAMIREZ
MAYOR

MONICA D. CUNNINGHAM
CHIEF ADMINISTRATIVE OFFICER

ESTRELLA ESCOBAR
EXECUTIVE ASSISTANT TO THE MAYOR

MARK THREADGILL
EXECUTIVE ASSISTANT TO THE MAYOR



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL JOSEPH ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ELVIA G. HERNANDEZ
DISTRICT NO. 8

**REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
APRIL 24, 2001
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: None. Meeting was called to order and the invocation was given by Dr. Philip Webb, St. Andrew's Presbyterian Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

Motion made by Representative Ortega, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted. (Items approved under Consent Agenda will be shown with an asterisk {*}).

Representative Medina was not present for the consent vote.

*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of March 6, 2001.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a contract with the El Paso Hispanic Chamber of Commerce for \$140,000 for Fiscal Year 2000-2001, for Economic Development assistance in the City of El Paso. This resolution is subject to the appropriate budget and documentation being submitted to the Chief Financial Officer.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following grant applications on behalf of the Arts Resources Department for submission to the Heartland Arts Fund, for the FY2002 World on a String Guitar Festival, and to sign the related contracts and documents should funds be granted. The grants require a 1:1 match from the City's grant match fund. The grant requests are as follows:

1. To request and receive \$750.00 for artistic fee support to present Paul Galbraith on April 24, 2002.
2. To request and receive \$675.00 for artistic fee support to present Berta Rojas on April 25, 2002.
3. To request and receive \$1,125 for artistic fee support for the International Guitar Night to present Andrew York, Peppino D'Agostino, Brian Gore, and Laurence Juber on April 27, 2002.

*RESOLUTION

WHEREAS, the Arts Resources Department of the City of El Paso promotes the arts in El Paso; and

WHEREAS, the Arts Resources Department puts on various cultural presentations throughout the City, in furtherance of the Department's mission; and

WHEREAS, the Arts Resources Department desires use of the Chamizal National Memorial for various cultural presentations, in furtherance of its mission; and

WHEREAS, the Chamizal National Memorial is a National Park and requires a Special Use Permit for the use of such park grounds;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to execute a Special Use Permit on behalf of the City of El Paso's Arts Resources Department in order to use the Chamizal National Memorial for the promotion of yearly cultural presentations. The cost to the City for such permit is \$2,880.00.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of SIX THOUSAND EIGHT HUNDRED AND NO 100THS DOLLARS (\$6,800.00 - grant) against the following described real property:

Lot 9, Block 68, PEBBLE HILLS SUBDIVISION UNIT 8, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof on file in Book 48, Page 3, Plat Records of El Paso County, Texas; also known and numbered as 3420 East Glen, El Paso, Texas 79936.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following individuals are designated as authorized signatories for Safe Deposit Box "V" at Chase Manhattan Bank of Texas:

Wendy N. Hebestreit, Comptroller
Robert E. Blackwood, Accountant IV

1565

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

That the Mayor be authorized to sign an Agreement for Engineering Services between the **CITY OF EL PASO** and **Margon, Inc.**, for a project known as "**Eastside Park Improvements**" for an amount not to exceed \$105,950.00.

Mr. Ray Cox, Parks & Recreation Department, explained that the monies are for architectural services for the Eastside Park improvements and for several other parks on the east side. Ms. Irene Ramirez, Engineering Section Chief, provided the names of the other Eastside parks as: Normandy, Ponder and Travis White. She added that this would include new playground equipment, updating landscaping and irrigation, electrical, mechanical and general rehabilitation.

Representative Sariñana asked about the time frame regarding this project. Ms. Ramirez explained that the design process would take between four and six months.

Representative Ortega asked what the total amount of the project would be for the different parks. Ms. Ramirez explained that she will provide this information to Representative Ortega.

Motion made by Representative Medina, seconded by Representative Ortega and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

That the Mayor be authorized to sign an Agreement for Architectural Services between the **CITY OF EL PASO** and **Lucero Melendez Architects A.I.A., Inc.**, for a project known as "**Vista del Valle Park and Multi-Purpose Center Rehabilitation**" for an amount not to exceed \$160,839.00.

Representative Ortega explained that this project is utilizing Bond monies to provide for renovations of the Multi-Purpose Center and Vista del Valle Park.

Motion made by Representative Ortega, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor is authorized to sign a grant application from the Federal Emergency Management Agency in the amount of \$85,300 for the purpose of providing Officer Development Training and Fire Prevention Smoke Detectors/Fire Extinguishers for the El Paso Fire Department. A 30 percent match (\$25,590) by the City is required.

Resolution was revised to show the above information.
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***RESOLUTION**

**THE STATE OF TEXAS,
COUNTY OF EL PASO,
CITY OF EL PASO.**

- WHEREAS,** the El Paso Housing Finance Corporation (the "Issuer") was duly created and organized pursuant to and in accordance with the provisions of the Texas Housing Finance Corporations Act, Chapter 395, Texas Local Government Code, as amended, for the purpose of providing a means of financing the costs of residential ownership and development that will provide decent, safe, sanitary housing for persons of low and moderate income at prices they can afford; and
- WHEREAS,** the Issuer has determined to extend its recycling program and Single Family Mortgage Revenue Refunding Bonds, Drawdown Series 2001C (the "Bonds"), and to utilize the bond proceeds made available thereby to refund from time to time (i) a portion of the Corporation's Single Family Mortgage Revenue Bonds (GNMA and FNMA Mortgage-Backed Securities Program), Series 1995, Single Family Mortgage Revenue Refunding Bonds, Series 1997, and Single Family Mortgage Revenue Bonds (GNMA and Fannie Mae Mortgage Backed Securities Program) Series 1998, and (ii) the Corporation's outstanding Single Family Mortgage Revenue Refunding Bonds, Drawdown Series 1999, which bonds were issued to refund a portion of the bonds described in clause (i) above as well as the Corporation's Single Family Mortgage Revenue Bonds, Series 1985, Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1991, Single Family Mortgage Revenue Bonds, Series 1991A, and Single Family Mortgage Revenue Bonds (GNMA Mortgage-Backed Securities Program), Series 1991B (all of such refunded bonds are referred to collectively as the "Prior Bonds"). The Prior Bonds were issued to fund mortgage loans made to qualified low and moderate income first time home buyers for the purchase of owner-occupied single family residences, located within the City of El Paso, Texas, the purchase price of which does not exceed certain limits, to assist persons of low and moderate income within the City of El Paso to afford the costs of acquiring and owning decent, safe, and sanitary housing; and
- WHEREAS,** the Issuer has conducted and held a public hearing regarding issuance of the Bonds on April 23, 2001 at 8:30 a.m. pursuant to the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and
- WHEREAS,** the City approves and encourages the Issuer in its efforts to accomplish the issuance of the Bonds and as part of such transaction is willing to provide its General Certificate, and for the Mayor of the City to provide his Certificate concerning the conduct of the Public Hearing on April 23, 2001, copies of which are both attached hereto as Exhibits to this Resolution and made a part hereof for all purposes; and
- WHEREAS,** the City Council of the City of El Paso hereby authorizes the Mayor to execute both the said General Certificate of the City of El Paso and the Mayor's Certificate, and deliver same to the Issuer.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of El Paso, Texas, that:

1. The Preambles to this Resolution set forth above are incorporated herein and made part of this Resolution.

2. The Mayor of the City of El Paso is hereby authorized to execute a General Certificate of the City of El Paso and the Mayor's Certificate in the form attached as an Exhibit to this Resolution and deliver same to El Paso Housing Finance Corporation to be used in connection with the issuance of its Bonds. (Exhibit on file with this Resolution in the City Clerk's Office.)

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in the full satisfaction of amount owed pursuant to these sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total</u>
0000 Cashew Drive	\$2,043.77	\$399.73	\$2,443.50

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in the full satisfaction of amount owed pursuant to these sanitation lien for:

6241 Impala Avenue	\$ 88.77	\$ 12.53	\$ 101.30
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in the full satisfaction of amount owed pursuant to these sanitation lien for:

392 Indian Place	\$ 106.48	\$ 48.08	\$ 154.56
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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant renewal application to the Office of the Attorney General of Texas in the amount of \$28,179.00 to fund a Crime Victim Liaison for the Victim Services Response Team of the El Paso Police Department; matching funds required in the amount of \$4,200.00. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Grant funds, the funds will be returned to the Office of the Attorney General in full.

That the El Paso City Council agrees that the existence of an award will not be used to offset or decrease total salaries, expenses and allowances that the City receives at or after the time the grant is awarded.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement.

Bethel Temple Christian School

Sunrise Park

AND THAT the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

SUN COUNTRY

NO. 510056, 7126CD, 0005 GRANT DETAIL, SUB-OBJECT 202214

1. CONTRACTOR: John W. Mackenzie, Fine Arts Instructor
DATES: April 17, 2001, thru July 31, 2001
RATE PER CL: \$20.00
MAXIMUM AMT: \$1,000.00
CONTRACT: 2000/2001-182

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

GALATZAN RECREATION CENTER

NO. 510131, SUB-OBJECT 201011

1. CONTRACTOR: Raquel Baca, Day Care Instructor I, Step 1
DATES: May 29, 2001, thru August 31, 2001
RATES PER HR: \$6.45
CONTRACT NO: 2000/2001-230
2. CONTRACTOR: Melanie Casner, Day Care Instructor I Step 1
DATES: May 29, 2001, thru August 31, 2001
RATES PER HR: \$6.45

CONTRACT NO: 2000/2001-231

3. CONTRACTOR: Michelle Herrera, Day Care Instructor I, Step 1
DATES: May 29, 2001, thru August 31, 2001
RATES PER HR: \$6.45
CONTRACT NO: 2000/2001-232

4. CONTRACTOR: Edward Keenan, Jr., Day Care Instructor I, Step 1
DATES: May 29, 2001, thru August 31, 2001
RATES PER HR: \$6.45
CONTRACT NO: 2000/2001-233

5. CONTRACTOR: Amy E. Smith, Day Care Instructor I, Step 1
DATES: May 29, 2001, thru August 31, 2001
RATES PER HR: \$6.45
CONTRACT NO: 2000/2001-234

6. CONTRACTOR: Judith Sosa, Day Care Instructor I, Step 1
DATES: May 29, 2001, thru August 31, 2001
RATES PER HR: \$6.45
CONTRACT NO: 2000/2001-235

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Perla Nuzzo, Swim Instructor I, Step 1
DATES: April 10, 2001, thru September 30, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-240
2. CONTRACTOR: Carmen Torres, Lifeguard I, Step 1
DATES: March 22, 2001, thru September 30, 2001
RATES PER HR: \$5.35
CONTRACT NO: 2000/2001-241
3. CONTRACTOR: Bobby Zubia, Lifeguard Trainee
DATES: April 9, 2001, thru September 30, 2001
RATES PER HR: \$5.25
CONTRACT NO: 2000/2001-242
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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Bryant K. Collier, Lifeguard Trainee
 DATES: April 10, 2001, thru September 30, 2001
 RATES PER HR: \$5.25
 CONTRACT NO: 2000/2001-236

2. CONTRACTOR: Bernadette J. Flores, Swim Instructor I, Step 1
 DATES: April 10, 2001, thru September 30, 2001
 RATES PER HR: \$5.35
 CONTRACT NO: 2000/2001-237

3. CONTRACTOR: Ernesto Marin, Swim Instructor I, Step 1
 DATES: May 01, 2001, thru September 30, 2001
 RATES PER HR: \$5.35
 CONTRACT NO: 2000/2001-238

4. CONTRACTOR: Federico Soto, Lifeguard I, Step 1
 DATES: January 15, 2001, thru September 30, 2001
 RATES PER HR: \$6.00
 CONTRACT NO: 2000/2001-239

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

AQUATICS

NO. 010281, SUB-OBJECT 201011

1. CONTRACTOR: Crystal V. Garza, Swim Instructor I, Step 1
 DATES: April 10, 2001, thru September 30, 2001
 RATES PER HR: \$5.35
 CONTRACT NO: 2000/2001-244

2. CONTRACTOR: Nova M. S. Nelson, Lifeguard I, Step 1
 DATES: April 15, 2001, thru September 30, 2001
 RATES PER HR: \$6.00
 CONTRACT NO: 2000/2001-245

3. CONTRACTOR: Jennifer K. Sanchez, Lifeguard I, Step 1
DATES: May 1, 2001, thru September 30, 2001
RATES PER HR: \$6.00
CONTRACT NO: 2000/2001-246

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and the Jesus Navarro, Upward Bound, to provide information to high school students and their parents who would like to attend college at the Westside Library on May 1, 2001 from 6:00 to 7:30 pm. There is no cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Margie Reich for the El Paso Public Library. There is no cost to the City.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Adam Ruben Garcia for the El Paso Public Library. There is no cost to the City.

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***RESOLUTION**

WHEREAS, the West Texas Community Supervision and Corrections Department administers the Community Service Restitution Program in El Paso County, Texas. As a condition of community supervision under Article 42.12 or the Texas Code of Criminal Procedure, defendants are required to work a specified number of hours at a community service project or projects for an organization or organizations approved by the sentencing judge and designated by the Texas Department of Criminal Justice.

WHEREAS, the City of El Paso, Texas desires to allow persons required to perform community service as a part of their probation duty through the Community Service Restitution Program to participate in City community service projects; and

WHEREAS, such persons can contribute a significant benefit to the community as well as fulfill their probation duties by doing community service projects.

WHEREAS, the City wishes to establish a community service program, in conjunction with the Department of Solid Waste Management, for the purpose of picking up illegally disposed tires throughout the City of El Paso, pursuant to Article 42.12 of the Texas Code of Criminal Procedure.

WHEREAS, the City wishes to establish said community service program pursuant to Article 42.12 of the Texas Code of Criminal Procedure in order to receive the benefits and protections of said statute.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Deputy Director of Solid Waste Management is hereby authorized to coordinate with the West Texas Community Supervision and Correction Department, in connection with the Community Service Restitution Program, for the use of community service restitution workers in a community service program project to pick up any illegally dumped materials in vacant lots, city right-of-ways, easements, etc. And, that the Deputy Director of Solid Waste Management is hereby authorized to notify the West Texas Community Supervisions and Corrections Department that the City of El Paso, Texas agrees with the Department program guidelines in connection with the use of community service restitution workers in connection with the use of community service restitution workers in a project to pick up illegally dumped tires throughout the City. The guidelines of the Department are attached hereto as Exhibit "A" and incorporated herein by this reference for all purposes.

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*Motion made, seconded and unanimously carried to approve the authorization to allocate Three Hundred Fifteen Dollars (\$315.00) from District IV Discretionary Funds for four (4) outdoor concerts at Veteran's Park Amphitheater during May and June, 2001, by Representative John Cook.

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Motion made, seconded and unanimously carried to move to the regular agenda the Request for authorization to expend \$2,500 from Representative Hernandez' discretionary funds for the purpose of assisting with a mural project called the "Aguaderos" to be painted on the 1st Pump Station on Los Angeles Street in the Sunset Heights area.

Representative Hernandez made opening comments. She explained that this is a three-way partnership between her District, the Sunset Neighborhood Improvement Association, and the Public Service Board.

Mr. John Carr, citizen, displayed a rendering of what is to be painted on the pumping station in Sunset Heights located near Los Angeles and Cliff Streets. He then gave a history of the pumping station and the duties of "Aguaderos" to Council Member. He stated that the Neighborhood Improvement Association will be paying for a Red District Texas Historical Marker which will describe the significance of the site. The Association will collect monies to lay red bricks on the Stanton Street sidewalk. He thanked Council Members and volunteer citizens for their assistance.

Ms. Anai Padilla, Water Conservation Manager, EPWU, explained that the Neighborhood Association has been trying to do this for a long time. She stated that this addition will greatly enhance the neighborhood and will explain how far the City has progressed regarding water conservation and distribution.

Representative Hernandez thanked Mr. Ed Archuleta, Water Utilities General Manager, Ms. Padilla, Mr. Carr and all of the Sunset Heights area residents.

Representative Sumrall asked the name of the artist. Representative Hernandez stated Carlos Rosas.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the authorization to expend \$2,500 from Representative Hernandez' discretionary funds for the purpose of assisting with a mural project called the "Aguaderos" to be painted on the 1st Pump Station on Los Angeles Street in the Sunset Heights area.

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*Motion made, seconded and carried that the following First Time Home Buyers applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

A.	01-04-FTHB/HL-0464	Loan: \$15,000.00
	Interest 0%	Term: 268 months
	11478 Lone Wolf Circle (36)	

- B. 01-04-FTHB/HL-0462 Loan: \$20,000.00
Interest 0% Term: 357 months
9205 Montgomery (24)
- C. 01-04-FTHB/HL-0467 Loan: \$20,000.00
Interest 0% Term: 357 months
5401 Sweetwater (24)
- D. 01-04-FTHB/HL-0465 Loan: \$20,000.00
Interest 0% Term: 357 months
8636 Arboleda (07)
- E. 01-04-FTHB/HL-0466 Loan: \$20,000.00
Interest 0% Term: 357 months
12017 Braveheart (36)
- F. 01-04-FTHB/HL-0468 Loan: \$20,000.00
Interest 0% Term: 357 months
11973 Braveheart Ave. (36)

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 *Motion made, seconded and unanimously carried to approve the request for the following name(s) to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- A. Ruben Ocampo, Recreation Leader II
- B. Jesse L. Russell, Coach Operator
- C. Veronica Zamora, Customer Account Clerk I

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 *Motion made, seconded and unanimously carried to approve the request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Clerk Typist I, Parks & Recreation (1 position)
- B. Recreation Leader I, Parks & Recreation (1 position)
- C. Recreation Leader I, Parks & Recreation (3 positions)
- D. Recreation Leader II, Parks & Recreation (25 positions)
- E. Recreation Leader II, Parks & Recreation (2 positions)
- F. Recreation Leader II, Parks & Recreation (1 position)
- G. Recreation Leader III, Parks & Recreation (1 position)
- H. Recreation Leader III, Parks & Recreation (8 positions)
- I. Recreation Leader III, Parks & Recreation (1 position)

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 *Motion made, seconded and unanimously carried to approve the requests for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Accounting Technician, Equipment Maintenance (1 position)
- B. Equipment Operator I, Street Department (1 position)

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 *Motion made, seconded and unanimously carried to appoint Carlos Rosas to the Commission on Border Relations as requested by Representative Hernandez.

*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to purchase additional quantities at the same unit price, pursuant to the terms and conditions of Contract 2000-044, with Zoll Medical Corporation, Burlington, MA., for Portable Monitor/Defibrillators for Fire Medical Services Department.

Option No.: One

Department: Fire Medical Services
Funding available: 250201-208012 Project MB0002 Project Detail 130
Funding source: Certificate of Obligation 2001 Medical/Scientific Equipment
Total award: \$120,000.00

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*Motion made, seconded and unanimously carried that the Director of Purchasing issue a Purchase Order to American Physicians Insurance Exchange in the amount of \$12,134.00 for renewal option for Malpractice Insurance for Dr. Jorge Carlos Magana, M.D. at the El Paso City-County Health and Environmental District, Contract No. 97-0214. Contract period: May 22, 2001 through May 22, 2002 and any extension thereof.

Department: Health
Funds Available: 010157-201121
Funding Source: General Funds
Award: \$12,134.00 (Estimated Annually)

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*Motion made, seconded and unanimously carried to award RFP No. 2001-058R City Permitting and Licensing System

Award to: TIDEMARK SOLUTIONS
SEATTLE, WASHINGTON

PHASE I
SOFTWARE, IMPLEMENTATION SERVICE TRAINING AND
TRAVEL EXPENSES HARDWARE (APPROX. \$55,000)
AMOUNT: \$394,182.00

PHASE II
HEALTH AND FIRE BROUGHT INTO PERMITS
AMOUNT: \$ 45,248.00

PHASE III
PLANNING BROUGHT ON PERMITS
AMOUNT: \$ 21,624.00

PHASE IV
OTHER TECHNOLOGIES INCLUDING
WIRELESS FIELD ACCESS, GIS, VOICE RESPONSE, ETC.
AMOUNT: \$ 83,286.00

TOTAL AWARD AMOUNT: \$544,340.00

Department(s): Building Services, Health, and Fire
Funds Available: 102008-208010
Funding Source: 1998 Certificates of Obligation
Total Award: \$544,340.00

Purchasing and the evaluation team recommend award to Tidemark Solutions for Phases I through IV. Their solution best fits the City's requirements.

This is a proposal for supplying the City of El Paso with Permitting and Licensing Software that will enable City employees to work more efficiently and allow citizens of El Paso to directly interact through the Internet to check on their permits and to apply for permits online.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-111 Animal Behavior/Training/Enrichment Study and Program (Rebid)

Award to: Active Environments Inc.
Lompoc, California
Item(s) 1
Amount: \$25,227.00

Department: Zoological Park
Funds available: 152001 and 152003-20215
Funding source: Zoo Gate Revenues & Zoo Animal Care, Outside Contracts
Total Award: \$25,227.00

Zoological Park and Purchasing recommend award as indicated as this vendor is the responsible and responsive bidders meeting specifications.

This is a one time contract.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-131 - Pest Control

Award to: Lone Star Pest Control
El Paso, Texas
Items: All
Amount: \$14,376.00

Department: Public Works Building Maintenance
Funds available: 010325-202220 Building Maintenance Police Facilities
010326-202220 City Wide Building Maintenance
010327-202220 Building Maintenance Fire Facilities
010328-202220 Viscount Building
Funding source: General Funds
Total Amount: \$14,376.00

Public Works Building Maintenance Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a thirty-six (36) month contract with on option. In addition, Lone Star Pest Control offers the City a 4% 10 Days, 2% 20 Days, 1% 30 Days, Prompt Payment Discount.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-136 - Skid Loader

Award to: Tom Growney Equipment
El Paso, Texas
Item: 1

Amount: \$22,961.02
Department: Parks and Recreation
Funds available: 102009-208029-540009
Funding Source: FY1999 Contractual Obligations
Total amount: \$22,961.02

Equipment Maintenance, Parks and Recreation, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties. Lower bids were received, but did not meet specifications as detailed in the backup.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Skid Loader. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. No prompt payment discount is offered.

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*Motion made, seconded and unanimously carried to award Bid No. 2001-150 - Airport Warehouse Pallet Racking Installation

Award to: El Paso Automated Office & Industrial Systems
El Paso, Texas
Items: All
Amount: \$39,384.05

Department: El Paso International Airport
Funds available: 620020-208008-500004
Funding source: Airport Enterprise Fund
Total amount: \$39,384.05

The El Paso International Airport and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, for the furnishing and installation of Pallet Racking, for the El Paso International Airport.

Vendor does not offer a fast pay discount.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-155 - Cummins Proprietary Parts & Service

Award to: Border International Trucks, Inc
El Paso, Texas
Item: Part A1, B1, C1 & D (all items)
Amount: \$10,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total amount: \$10,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of thirty six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-161 One Ton Pickup Trucks

Award to: Casa Ford
El Paso, Texas
Item: 1 (2 each) - Fire
Optional Items: O7, O8, O10, O14, O15
Vendor Option: Dual Alternators @ \$285.00
Item: A2 (2 each) - Street
Optional Items: O5, O8, O9, O10, O12, O15, O17, O18
Item: A1 (2each) Solid Waste Management
Optional Items: O8, O10, O12, O15,
Amount: \$164,123.46

Department: Fire , Street and Solid Waste Management
Funds Available: 250201-208006-MB0002-130 (\$55,665.80)
102008-208006-540008 (\$60,689.26)
250101-208006-MB0001-160 (\$47,768.40)
Funding Source: FY2001 Certificates of Obligation
FY1998 Contractual Obligations
FY2000 Certificates of Obligation
Total Amount: \$164,123.46

The Equipment Maintenance, Fire, Street, Solid Waste Management and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase six (6) One Ton Pickup Trucks. There is no option to purchase additional quantities. No prompt payment discount is offered.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-166 - Heil Proprietary Parts & Service

Award to: Vendor (1) Heil Parts West
Phoenix, Arizona
Items: Group A, item1
Amount: \$20,000.00 (estimated annually)

Vendor (2) Western Refuse & Recycling Equipment, Inc.
Gilbert, Arizona
Item: Group B, Item 1
Amount: \$30,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total award: \$50,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 offers the City the option to extend the term of the Contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of thirty six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No: 2001-169 - Auto Parts - Belts & Hoses

Award to: Vendor (1) Main Auto Parts
El Paso, Texas
Item: Group I (all)
Amount: \$10,000.00 (estimated annually)

Vendor (2) Cantrell Auto Parts
El Paso, Texas
Item: Group II (all)
Amount: \$10,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total award: \$20,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #1 offers a prompt payment discount of 2% 20 days. Vendor also offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of thirty six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-170 - Auto Parts Price List - Filters

Award to: Main Auto Parts
El Paso, Texas
Items: Group I (all), Group II (all)
Amount: \$20,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total award: \$20,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers a prompt payment discount of 2% 20 days. Vendor also offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of thirty six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-171 - Suspension & Steering System Components & Related Parts

Award to: Vendor (1) Cantrell Auto Parts
El Paso, Texas
Item: Group I all items
Amount: \$15,000.00 (estimated annually)

Vendor (2) Border International Trucks, Inc.
El Paso, Texas
Item: Group II, all items
Amount: \$15,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total award: \$30,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor #2 offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of thirty six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-172 - Bearings & Seals & Related Products

Award to: Main Auto Parts
El Paso, Texas
Items: Group I, Items 1 & 2, Group II, Items 1 & 2
Amount: \$20,000.00 (estimated annually)

Department: Equipment Maintenance
Funds available: 370510-203121
Funding source: Equipment Maintenance Internal Service Fund
Total award: \$20,000.00

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers a prompt payment discount of 2%20 days. Vendor also offers the City the option to extend the term of the Contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of award.

This is a Requirements Type Contract with an initial term of thirty six (36) months.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-148 Janitorial Services - The Museum of Art

Award to: Care Free Janitorial Services
El Paso Texas
Items: All
Annual amount: \$37,200.00

Department: Museum of Art
Funds available: 010249-202206
Funding source: General Funds
Total amount: \$37,200.00

Purchasing and Museum of Art recommend award to Care Free Janitorial Services. They are the low responsive and responsible bidder.

This is a 36 month contract for Janitorial Services for the Museum of Art. The contractor did not offer a payment discount.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-158 - Collingsworth Subdivision Phase III Street & Drainage Improvements

Contractor: E E & E Construction
El Paso, Texas
Department: Engineering
Funding available: 150069/7126CD/0008/208027
Funding source: CD
Base bid: \$655,476.12
Total award: \$655,476.12

The Purchasing Department recommends the award of this contract to E E & E Construction, the low responsible, responsive bidder. Additionally, it is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney.

1. Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

DESCRIPTION OR EXPLANATION:

Base Bid I: \$511,375.22

Base Bid IA:	\$ 1,927.50
Base Bid II	\$ 69,057.94
Base Bid III:	\$ 73,115.46

Total Recommended Award: \$655,476.12

.....
*Motion made, seconded and unanimously carried to award Bid No. 2001-159 - EPIA Air Cargo Facility No. 4

Contractor:	C. F. Jordan, L.P. El Paso, Texas
Department:	Airport
Funding available:	620021-AP0003-208027
Funding source:	Airport Capital Projects
Base bid:	\$7,318,000.00
Total award:	\$7,318,000.00

The Purchasing Department recommends the award of this contract to C. F. Jordan, L.P., the low responsible, responsive bidder. Additionally, it is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney.

1. Lump Sum Component

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

2. Unit Price Component

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

DESCRIPTION OR EXPLANATION:

Base Bid I:	\$6,040,000.00
Base Bid IA:	\$ 8,000.00
Base Bid II:	\$1,270,000.00

Total Recommended Award: \$7,318,000.00

.....
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-167 - Street Resurfacing 2001

Mayor Carlos M. Ramirez commended City staff for their diligent efforts regarding this street resurfacing project.

Mr. Daryl Cole, Deputy Director for Streets, explained this is the annual street resurfacing project which equals to approximately \$500,000.00 per District. The process would begin approximately mid-June and continues for 365 days.

Representative Sumrall explained that there are streets on the west side which need resurfacing however, due to the Public Service Board laying new lines, these streets are being postponed. Mr. Cole stated that the Street Department works very closely with all City utility companies.

Representative Medina stated that this is a resurfacing project which is separate from the six year plan to pave new streets. He stated his concerns regarding only one bidder. Mr. Cole explained that he did call a number of contractors in the City and stated that the Texas Department of Transportation have several projects which they have bid out at the same time.

Representative Hernandez thanked Mr. Cole for his recommendations for the streets to be resurfaced in her District.

Representative Ortega mentioned the dollar amount regarding wheelchair ramps for this bid. Mr. Cole explained that there are 88 wheelchair ramps in this contract and a possibility of others being added. He explained that the Street Department is currently collecting an inventory of wheelchair ramps in the City and will be preparing a plan for Council to review in the future.

Representative Sariñana commented on the contractor and if this project might overextend them. Mr. Cole stated that the Street Department is pleased with their quality of work. Mayor Ramirez reiterated comments made by Mr. Cole regarding the record number of construction projects during this administration.

Representative Medina commended several City departments such as: Streets, Solid Waste, Engineering, Planning, Legal and others.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to award Bid No. 2001-167 - Street Resurfacing 2001

Contractor:	Silverton Construction Company, Inc El Paso, Texas
Department:	Streets
Funding available:	Street Resurfacing Project Funds
Funding source:	Street Resurfacing Project Funds
Base bid:	\$4,398,329.00
Total award:	\$4,398,329.00

The Purchasing Department recommends the award of this contract to Silverton Construction Company, Inc., the low responsible, responsive bidder. Additionally, it is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney; and that the Mayor be authorized to execute any budget transfers as necessary to fund the project.

Work under the unit price component is only an estimated value or not to exceed amount and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

DESCRIPTION OR EXPLANATION:

Base Bid I: \$4,398,329.00

Total Recommended Award: \$4,398,329.00

.....

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-430 HEALTH

To close out a grant from FY98 in order to prepare for new Information Systems Software to be implemented in September 2001.

Decrease	\$8,304.27	from	150017/419805/106001	State Grant Proceeds
Increase	\$ 41.98	to	150017/419805/203103	Publications & Sub
Increase	\$ 187.75	to	150017/419805/203108	Training Materials
Decrease	\$3,972.36	from	150017/419805/203112	Clinical/Medical Sup
Increase	\$ 934.55	to	150017/419805/203120	Uniforms & Apparel
Increase	\$ 14.00	to	150017/419805/203123	Safety Equipment
Decrease	\$1,645.00	from	150017/419805/203200	Bldg/Facilities
Increase	\$ 28.95	to	150017/419805/204003	Postage
Increase	\$ 453.60	to	150017/419805/204004	Shipping
Decrease	\$1,169.19	from	150017/419805/204201	Travel Expenses-Emp
Decrease	\$1,158.50	from	150017/419805/204402	General Liab Ins
Decrease	\$2,429.00	from	150017/419805/204412	Seminars/Cont Ed
Increase	\$ 636.00	to	150017/419805/204414	Professional Licenses
Decrease	\$ 277.05	from	150017/419805/208012	Med/Scientific Equip

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-431 HEALTH

To close out a grant from FY98 in order to prepare for new Information Systems Software to be implemented in September 2001.

Decrease	\$ 35,381.87	from	150017/419805/106001	State Grant Proceeds
Decrease	\$ 15,508.92	from	150017/419805/201000	Non-Uniform Wages
Increase	\$ 276.51	to	150017/419805/201004	Sick/Vacation Leave
Increase	\$ 39.28	to	150017/419805/201007	Longevity
Decrease	\$ 1,121.32	from	150017/419805/201100	Workers Comp
Decrease	\$ 293.83	from	150017/419805/201101	Unemployment Comp
Decrease	\$ 468.28	from	150017/419805/201108	POS City Empl Co
Decrease	\$ 4,220.01	from	150017/419805/201111	HMO City Empl Co
Decrease	\$ 51.35	from	150017/419805/201114	Life Insurance
Decrease	\$ 7,171.98	from	150017/419805/201124	City Pension Plan Cont
Decrease	\$ 4,090.79	from	150017/419805/201129	FICA City Match
Decrease	\$ 1,018.32	from	150017/419805/201130	FICA MED City Match
Increase	\$ 2,615.92	to	150017/419805/202000	Personal Service Cont
Increase	\$ 10,130.00	to	150017/419805/202111	Health Care Provider
Decrease	\$ 10,130.00	from	150017/419805/202117	Dental Premium
Decrease	\$ 1,500.00	from	150017/419805/202204	Environmental Contract
Decrease	\$ 1,643.12	from	150017/419805/202212	Security Contracts
Decrease	\$ 366.70	from	150017/419805/202229	Office Equip Maint
Decrease	\$ 618.90	from	150017/419805/202302	Print Shop Allocation
Increase	\$ 19.07	to	150017/419805/202304	Mail Room Chgs
Increase	\$ 4,011.32	to	150017/419805/203100	Office Supplies
Decrease	\$ 4,270.45	from	150017/419805/203101	Minor Office Equip
Increase	\$104,794.29	to	150017/419805/207000	Interfund Transfers
Increase	\$104,794.29	to	150017/419805/207002	Estimated Rev

*Motion made, seconded and unanimously carried to approve budget transfer BT2001-458 COMMUNITY DEVELOPMENT

This budget transfer moves funds from the Community Development 26th Year (2000-2001) Contingency Account to the Armijo Branch Library Renovation, a 24th Year (1998-1999) Community Developer project. The Transfer replaces funds that were first removed to allow full funding of the Armijo Pool Project.

Decrease	\$400,000	from	150047/7126CD0002/208027	Construction
Increase	\$400,000	to	150000/7124CD0787/208027	Construction

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-463 MUSEUM OF ART

To appropriate funds that were paid for Building Maintenance for event on Feb 24, 2001. Funds were used to purchase materials (wood, paint, etc.).

Increase	\$1,357	to	154001/540006/105065	Misc Non-operating
Increase	\$1,357	to	154001/540006/203200	Bldgs Facilities

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-464 MUSEUM OF ART

To appropriate funds that were donated for event on March 31st. Funds for printing.

Increase	\$300	to	500025/540344/105065	Misc Non-operating
Increase	\$300	to	500025/540344/202209	Printing Srvcs

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-465 PLANNING

Be it resolved by the City Council of the City of El Paso that the Mayor be authorized to sign the grant contract awarding a grant to the Planning, Research and Development Department from the Texas Historical Commission, for participation in the FY2001 Certified Local Government Program.

Increase	\$10,500	to	150072/080100/106001	State Grant Proceeds
Increase	\$10,500	to	150072/080100/202115	Mgmt consultant

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-467 COMMUNITY DEVELOPMENT

This budget transfer will cover unfunded change orders and allow the final contractor payment to be made for Nolan Richardson Recreation Center.

Decrease	\$5,500	from	150047/7126CD0002/208027	Construction
Increase	\$5,500	to	150000/7124CD0840/208027	Construction

.....
*Motion made, seconded and unanimously carried to approve budget transfer BT2001-468 COMMUNITY DEVELOPMENT

This budget transfer increases construction funding to cover the base bid, one -half of the PSB costs, and includes a 10% contingency for the Collingsworth Phase III, Street & Drainage Project.

Decrease	\$104,000	from	150047/7126CD0002/208027	Construction
Increase	\$104,000	to	150069/7126CD0008/208027	Construction

.....
 *Motion made, seconded and unanimously carried to approve budget transfer BT2001-469 COMMUNITY DEVELOPMENT

This budget transfer will fund a survey, appraisal and purchase of a small parcel which is required for an unforeseen acquisition for the Del Norte Acres Improvements design, a 26th Year project.

Decrease	\$6,230	from	150047/7126CD0002/208027	Construction
Increase	\$1,950	to	150069/7126CD0022/208017	Surveys
Increase	\$4,280	to	150069/7126CD0022/208017	Public Access

.....
 *Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

Food Service License refund to Guadalupe Bela

.....
 *Motion made, seconded and unanimously carried to approve the following Building Services - refunds:

Home Occupation refund to Emma Morales

.....
 *Motion made, seconded and unanimously carried to approve the request of Joe Rodriguez/Parks & Recreation Department to use amplification (6 microphones-up to 10 amps) at Washington Park on April 28, 2001 from 12:00 p.m. to 9:00 p.m. Approximately 6,000 to 10,000 persons will take part. PERMIT NO. 01-038

.....
 *Motion made, seconded and unanimously carried to approve the request of Quality of Life El Paso to hold a demonstration on April 28, 2001 from 1:00 p.m. to 2:00 p.m. Route: Sidewalk on west side of Alabama between 4700 and 4900 block. Approximately 100 persons will take part and 20 spectators are anticipated. This request includes permission to use amplification (40-watt portable amplifier, speaker, 2 microphones). PERMIT NO. 01-039

.....
 Motion made, seconded and unanimously carried to move to the regular agenda the request of El Paso Heritage Week Festival Foundation to use amplification (2 speakers—300 watts) at San Jacinto Plaza on April 26, 2001 from 10:00 a.m. to 11:30 p.m. Approximately 50 persons will use amplification and 50 spectators are anticipated. PERMIT NO. 01-041

Representative Hernandez made opening comments.

Ms. Suzanne Dipp, El Paso Heritage Week Festival Foundation representative, gave information regarding the Heritage Week events which would include 60 events over a nine day period.

Mayor Carlos M. Ramirez expounded on the many activities over each day.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the request of El Paso Heritage Week Festival Foundation to use amplification (2 speakers—300 watts) at San Jacinto Plaza on April 26, 2001 from 10:00 a.m. to 11:30 p.m. Approximately 50 persons will use amplification and 50 spectators are anticipated. PERMIT NO. 01-041

.....

ORDINANCE 14821

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 3, WESTPORT UNIT 3, CITY OF EL PASO, EL PASO COUNTY, TEXAS (INTERSECTION OF TRANSMOUNTAIN ROAD AND NORTHWESTERN DRIVE) FROM M-1/SC (LIGHT MANUFACTURING/SPECIAL CONDITIONS) TO C-4/SC (COMMERCIAL/ SPECIAL CONDITIONS). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall asked about the voluntary restriction placed on the Ordinance regarding "no adult entertainment".

Ms. Pat Aauto, Planning Director, concurred with Representative Sumrall's statement.

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Hernandez

NAYS: None Absent: None

Representative Sariñana was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14822

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.040 (SCHEDULE IV - PARKING PROHIBITED ON CERTAIN HOURS ON CERTAIN STREET) PARAGRAPH 12.88.040 (J) (NO PARKING, 7:00 A.M. TO 4:00 P.M.) TO ADD A NEW LOCATION AT LA SUBIDA DRIVE, FROM MONTE MAR PLACE TO A POINT 114 FEET WEST OF ANDALUCIA DRIVE THEREOF, SOUTH SIDE ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Ortega explained that this will eliminate parking across from Vista Hills Elementary School during certain hours. He added that this was a petition which was brought by some of the neighbors which would make it safer for the school children.

Motion duly made by Representative Ortega, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar and Hernandez

NAYS: None Absent: None

Representative Sariñana was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

*Motion made, seconded and unanimously carried to delete an Ordinance to amend Title 12 (Vehicles & Traffic), Chapter 12.46 (Mobile Food Vendors) and repealing Chapter 13.20.040(B)(1-5). The Penalty being as provided In Section 12.84 of the El Paso Municipal Code.

Mr. Charlie McNabb, City Attorney, explained that the reason this was being deleted was due to insufficient description in the caption. He added that the posting on the agenda will be broader when the item is re-introduced.

.....
ORDINANCE 14823

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING LUIS CARBAJAL TO USE A PORTION OF ZARAGOZA PARK FROM 1:00 PM UNTIL 6:00 PM ON JUNE 10, 2001**

Motion duly made by Representative Escobar, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14824

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING VINEYARD CHRISTIAN FELLOWSHIP TO USE VETERANS PARK AND PAVILION FROM 6:00 AM UNTIL 10:00 PM ON MAY 26, 2001**

Motion duly made by Representative Cook, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 14825

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING KARINA HERNANDEZ TO USE A PORTION OF MEMORIAL PARK FROM 2:00 PM UNTIL 7:00 PM ON APRIL 29, 2001**

Motion duly made by Representative Rodriguez, seconded by Representative Sumrall that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14826

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NOS. 010873, 012221, 012476, AND 012636, WHICH ESTABLISHED FEES FOR THE FOREIGN TRADE ZONE, TO IDENTIFY CURRENT INDUSTRIAL AREAS OPERATED AS PART OF FOREIGN TRADE ZONE NO. 68, TO PROVIDE FOR SUBZONES AND SUBZONE FEES WITHIN FOREIGN TRADE ZONE NO. 68, TO MODIFY THE USER FEES FOR USERS OF FOREIGN TRADE ZONE NO. 68, AND TO AMEND THE TARIFF FOR FOREIGN TRADE ZONE NO. 68 TO REFLECT SUCH CHANGES.**

Mayor Carlos M. Ramirez made opening comments.

Mr. Joe Quiñones, Department of Economic Development, explained the changes regarding updating the zone schedule, training fee(s) and the addition of the Weekly Transportation and Exportation Fee. He expounded on the Weekly Transportation and Exportation Fee.

Motion duly made by Representative Medina, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14827

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A SPECIAL WARRANTY DEED CONVEYING TO THE UNIVERSITY OF TEXAS AT EL PASO, A PARCEL OF LAND BEING A 16 FOOT WIDE ALLEY, BETWEEN SCHUSTER AND CROSBY STREETS IN BLOCK 51, HAWTHORNE PLACE, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY TEXAS.**

Representative Hernandez asked whether this would assist with the additional housing at UTEP.

Mr. Richard Aauto, University of Texas at El Paso representative, stated no and explained that the University would have to come before Council at a later date regarding Representative Hernandez' question. He explained the details surrounding the item on the above Ordinance.

Motion duly made by Representative Hernandez, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

ORDINANCE 14828

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING USA BORDER BOXING ASSOCIATION TO USE THE CAROLINA RECREATION CENTER FROM MAY 11, 2001 THROUGH MAY 12, 2001**

Representative Sariñana asked if the City might sponsor this event and whether he might be able to utilize his discretionary funds.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that the Bond money is being utilized for more and more facilities and therefore more programs might be utilized in the purposed budget for next year. She stated that Representative Sariñana could utilize his discretionary funds.

Mr. Charlie McNabb, City Attorney, explained that the City could sponsor some type of boxing tournament.

Mr. Ray Cox, Parks & Recreation Department, explained that this is a two-day tournament and many of the boxers who utilize the Parks & Recreation boxing facilities will be participating in this tournament.

Mr. McNabb stated that if the event is a City function, a Representative can utilize his or her discretionary funds, however, the City cannot sponsor a fundraising event for another association.

Ms. Cunningham explained that if an organization would like the City to sponsor an event, the organization must come to City very early on in the year.

Representative Medina commented on liability issues and he recommended that Representative Sariñana raise the monies through businesses in his District.

Motion duly made by Representative Sariñana, seconded by Representative Hernandez that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Release of Contract between TRAVIS R. CRAWFORD and the CITY OF EL PASO, releasing all restrictions of a contract dated July 21, 1988 in connection with Ordinance No. 009421, *for all of Lots 1 to 7, Block 1, INTERNATIONAL INDUSTRIAL CENTER UNIT 1 REPLAT, in El Paso County, State of Texas.*

Representative Medina asked for elaboration.

Ms. Pat Adata, Planning Director, explained that this is an application requesting a release of a zoning condition imposed on 6610 International Drive. She explained the zoning restrictions. She stated that the property is under contract to be developed as a courtyard by the Marriott and that the City Plan Commission recommended approval.

Representative Medina commented on the restriction release.

Ms. Adata stated that if the release is approved then the property will be zoned as C-4, unrestricted. She stated that the abutting property across Robert E. Lee is zoned A-2/Apartment which is considered a residential district under the City Zoning Code.

Motion made by Representative Medina, seconded by Representative Ortega and unanimously carried to approve the above Resolution.

.....
NOTE: The following item was originally deleted with the Consent agenda.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to reconsider the public hearing to determine if the property located at 114 S. Virginia St., in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

Mayor Carlos M. Ramirez explained that the Building Services Department wished to postpone the item rather than delete this item.

Mr. Thomas Maguire, Building Services, asked that the item be postponed for two weeks.

Motion made by Representative Hernandez, seconded by Representative Sariñana and unanimously carried to postpone two weeks the public hearing to determine if the property located at 114 S. Virginia St., in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

.....
*Motion made, seconded and unanimously carried to postpone two weeks an Ordinance approving the Rim-University Neighborhood Plan as a specific study area plan to be incorporated into the City's comprehensive plan, *The Plan for El Paso*, and which Neighborhood Plan shall amend the Year 2025 General Land Use map incorporated therein as to the Rim-University Neighborhood.

.....
*Motion made, seconded and unanimously carried to postpone two weeks an Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Chapter 20.08 (General Design and Use Regulations) by adding requirements for a neighborhood conservancy overlay, and by permitting such overlay designation through a special permit process within Chapters 20.10 (R-F Ranch and Farm District), 20.12 (R-1, R-2, R-2A, R-3 AND R-3A Residential Districts), 20.14 (R-4 and R-5 Residential Districts),

20.20 (A-1 Apartment District), 20.22 (A-2 Apartment District), 20.24 (A-3 Apartment District), 20.26 (A-4 Apartment District), 20.28 (A-O Apartment/Office District), 20.30 (A-3/O Apartment/Office High Density District), 20.52 (S-D Special Development District), 20.53 (U-P Union Plaza District), 20.54 (P-R Planned Residential I), 20.56 (P-R Planned Residential District II), and 20.61 (SRR Special Residential Revitalization District), the penalty being as provided in Chapter 20.68 of the Code.

.....
*Motion made, seconded and unanimously carried to postpone two weeks an Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Chapter 20.08 (General Design and Use Regulations) by adding requirements for a residential mixed-use development, and by permitting such use through a special permit process within Chapters 20.10 (R-F Ranch and Farm District), 20.12 (R-1, R-2, R-2A, R-3 AND R-3A Residential Districts), 20.14 (R-4 and R-5 Residential Districts), 20.20 (A-1 Apartment District), 20.22 (A-2 Apartment District), 20.24 (A-3 Apartment District), 20.26 (A-4 Apartment District), 20.28 (A-O Apartment/Office District), 20.30 (A-3/O Apartment/Office High Density District), 20.52 (S-D Special Development District), 20.53 (U-P UNION PLAZA DISTRICT), 20.54 (P-R Planned Residential I), 20.56 (P-R Planned Residential District II), and 20.61 (SRR Special Residential Revitalization District), the penalty being as provided in Chapter 20.68 of the Code.

.....
*Motion made, seconded and unanimously carried to postpone two weeks the discussion and action authorizing the Planning, Research & Development Department to City-initiate and process applications for a neighborhood conservancy overlay and residential mixed-use development district for properties within the Rim-University Neighborhood pursuant to the recommendations of the approved Rim-University Neighborhood Plan.

.....
*Motion made, seconded and unanimously carried to postpone two weeks an Ordinance changing the zoning of Lots 7 - 10, Block 14, Alexander Subdivision, El Paso, El Paso County, Texas (220 Blacker Avenue) from R-4 (Residential) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code.

.....
Motion made by Representative Hernandez, seconded by Representative Escobar and carried to approve the project and ranking recommendations of the City Response Team for the 2001 Statewide Transportation Enhancement Program (TEA-21) as follows:

- | | |
|------------------------|---|
| <u>Priority One:</u> | Rio Grande River Trail, Grant Request \$4,799,040.00, Local Match \$1,199,760.00 |
| <u>Priority Two:</u> | Union Plaza Transportation History Mall, Grant Request \$2,437,428.57, Local Match \$609,357.14 |
| <u>Priority Three:</u> | Safety City, Grant Request \$157,111.00, Local Match \$39,277.00. |

The City response team is directed to complete the nomination forms and all other related documents for submission of the prioritized projects to the Metropolitan Planning Organization and the Texas Department of Transportation prior to the June 18, 2001 deadline.

Mr. Blake Fry, Grants Coordinator for the City of El Paso, explained that Council established criteria in January and he is here today to recommend the following three projects for approval:

1. Rio Grande River Trail
2. Union Plaza Transportation History Mall
3. Safety City

Mr. Fry elaborated on each of the projects for Council Members and public information.

Representative Hernandez questioned whether the City had a Safety Town before.

Commander Walsh, El Paso Police Department, differentiated between Safety Town which was targeted for five year olds and was located at Bassett Center and Safety City. He stated Safety City will target five year olds to senior citizens. He commented on a new program for pedestrians and cyclists.

Representative Sumrall asked Commander Walsh if there might be a Safety City concept at the Westsic Regional Park.

Commander Walsh explained that he has spoken with the Parks & Recreation Department regarding Representative Sumrall's concerns and explained that this would be addressed three or more years down the road.

Mr. Fry explained that the City has been working very closely with TXDOT and has followed all guidelines.

.....
RESOLUTION

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) of 1998, provides for transportation enhancement provisions that can contribute to the livelihood of communities, the quality of the environment, and the aesthetics of roadways; and

WHEREAS, the State of Texas apportions approximately ten (10) percent of its federal funding under the Surface Transportation Program for enhancement activities; and

WHEREAS, a call for project nominations under the 2001 Statewide Transportation Enhancement Program has been announced by the Texas Department of Transportation (TxDOT), and funding is for non-traditional transportation-related activities; and

WHEREAS, the funds provided by this program are on a cost reimbursement basis; and

WHEREAS, TxDOT guidelines for the nomination of projects for TEA-21 reimbursement require that candidate projects within a single city or single metropolitan area be nominated by the governing body of the city or MPO; and

WHEREAS, the nominating entity must enter into an agreement with TxDOT and be financially responsible for the non-federal funding and for the implementation of a project; and

WHEREAS, TxDOT strongly encourages nominating entities to prioritize projects; and

WHEREAS, the City of El Paso, as an eligible nominating entity, must "be willing to commit to the recommendation, implementation, development, construction, maintenance and financing" of any project it nominates; and

WHEREAS, in order to responsibly exercise its obligation as the nominating entity for El Paso County projects, by Resolution dated January 16, 2001, the City of El Paso established criteria for screening and ranking projects for nomination; and

WHEREAS, the local screening process ensures the eligibility and feasibility of projects for which the City accepts responsibility as nominator; and

WHEREAS, the local screening process also assists project sponsors in strengthening their applications and chances in the highly competitive statewide selection process; and

WHEREAS, a total of three projects were nominated and submitted for City Council consideration by the City deadline of March 30, 2001; and

WHEREAS, the City response team has reviewed and given its nomination and priority recommendations to the El Paso City Council for the 2001 Statewide Transportation Enhancement Program,

NOW, THEREFORE, BE IT RESOLVED:

1. That the El Paso City Council hereby approves the submission and nomination of three (3) projects to the Texas Department of Transportation for TEA-21 reimbursement consideration under the 2001 Statewide Transportation Enhancement Program, agrees to be financially responsible for the non-federal funding portion and the implementation of any selected project, and further supports the priority ranking of the nominated projects as follows:

<u>Priority One:</u>	Rio Grande River Trail, Grant Request \$4,799,040.00, Local Match \$1,199,760.00
<u>Priority Two:</u>	Union Plaza Transportation History Mall, Grant Request \$2,437,428.57, Local Match \$609,357.14
<u>Priority Three:</u>	Safety City, Grant Request \$157,111.00, Local Match \$39,277.00.

2. That the El Paso City Council hereby authorizes the Mayor to sign the completed nomination forms and all other related documents for submission of the prioritized projects to the Metropolitan Planning Organization and the Texas Department of Transportation prior to the June 18, 2001 deadline.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

.....
Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to delete the discussion and action regarding disparities in: 1). Relocation costs in Old San Francisco Historic District; and 2). Other federal/public monies awarded to exclusive recipient. (Jamie Barron, PhD was not present)
.....

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO AS FOLLOWS:

It is the policy of the City Council that property that has been struck off to the City at a tax sale shall be resold in the following manner and subject to the following guidelines:

1. All property shall be offered for resale at public auction, with a minimum opening bid in the same amount as the opening bid at the original foreclosure sale.
2. Property on which no bid is received at the first public auction resale, shall be offered again at one or more subsequent public auction resales. The Tax Assessor-Collector shall have the discretion to recommend to the officer conducting the sale an opening bid at such subsequent resales which shall be no less than one-half the amount of the minimum opening bid.
3. If a property has gone unsold at two public auction resales, the City's Delinquent Tax Attorneys and the Tax Assessor-Collector are directed to submit to the City Council for consideration any written offers received by them for the purchase of such property by private resale if the amount of the offer equals or exceeds the minimum opening bid, in which case the City Council may, after consultation with the Tax Assessor-Collector, approve the private sale.

4. If a property has gone unsold at two public auction resales, the City's Delinquent Tax Attorneys and the Tax Assessor-Collector are directed to submit to the governing body of each taxing unit entitled to proceeds for consideration any written offers received by them for the purchase of such property by private resale if the amount of the offer equals or exceeds one-fourth of the minimum opening bid applicable at the original tax foreclosure sale, in which case the governing bodies of the taxing units entitled to proceeds, may approve the private sale. Neither the Delinquent Tax Attorneys nor the Tax Assessor-Collector has any duty under these guidelines to submit to the City Council or the other governing bodies of other taxing units entitled to proceeds any offers or lesser amounts.
5. "Minimum opening bid", as used herein, means the aggregate amount of the judgments, plus costs of suit and sale, or the value of the property as set forth in the underlying tax foreclosure judgment, whichever is less.

Mayor Carlos M. Ramirez explained that he had pushed City staff and the tax collection entity hired by the City, to pursue the issues regarding public sale and re-sale of properties owned by the City.

Ms. Monica D. Cunningham, Chief Administrative Officer, stated that the Mayor directed City staff and others to get properties back on the tax rolls as quickly as possible. She then explained the details of the Resolution for Council Members.

Ms. Carmen Perez, attorney with Delgado Acosta Spencer Linebarger Heard & Perez LLP, briefly explained the Resolution details for Council Members.

Representatives Sumrall, Cook, Medina, Escobar asked questions and made comments.

Ms. Perez responded to questions and comments raised by Council Members.

Ms. Cunningham explained that she and Ms. Perez have worked on this Resolution and have researched with other Cities as to how they go about this. She stated that "For Sale" signs will be posted for public information. Ms. Cunningham stated that all transactions must be approved by Council, therefore, there would not be any possibility of misinformation.

Ms. Perez explained that her firm and the Legal Department are currently working on a Disclaimer.

Ms. Cunningham explained that the City will be composing an inventory of all properties owned by the City and has hired an appraisal firm to assist in this process. She stated that she would get back to Council with information regarding the "For Sale" signs, website, and posting the legal description and physical addresses. She explained that an Ordinance has never been previously established, therefore, a process is now being established for this.

Mayor Ramirez explained that the "For Sale" signs, website and other suggestions would be taken into account.

Representative Medina suggested that in conjunction with the Resolution could the suggestions that were made today be included such as the "For Sale" signs, the physical and legal descriptions (with a disclaimer) and that the listings be made available on the City's website. He made the Motion to include this language in the Resolution, Representative Sumrall seconded that Motion.

Mr. Charlie McNabb, City Attorney, clarified concerns raised by Representative Medina.

Ms. Cunningham commented the language "and the most modern selling techniques regarding real estate be used to dispose of these properties . . ." could be added to the Resolution, but may not be necessary.

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....
Motion made, seconded and unanimously carried to refer to Legislative Review for the Public Works and Arts Resources Departments a new "Percent for Art" Public Art Program for the City of El Paso and the creation of an El Paso Arts Commission by Representative Larry M. Medina.

Representative Medina explained that this is an idea which has been utilized in many other parts of the country. This would create an Ordinance that will allocate up to 1% to 2% of the City's Capital Improvement Program to public art. He stated that the City would ask other entities, such as the Public School Districts, to join the City to start a permanent Arts Commission. He asked that this be sent to Legislative Review for additional comments and information.

Mayor Carlos M. Ramirez agreed to having this item sent to the Public Works Legislative Review Committee. Representative Medina suggested that the Arts Resources Department also be included in these Legislative Review Committee meetings.

.....
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance partially vacating an existing 100 foot wide easement located within Lots 3 and 4, Block 340B, Vista Del Sol Unit 69, Replat D, City of El Paso, El Paso County, Texas (East of George Dieter Drive and South of Esther Lama Drive).

PUBLIC HEARING WILL BE HELD ON MAY 8, 2001 FOR ITEM A

- B. An Ordinance changing the zoning of a portion of Lot 14, Block 2, Sierra Vista Acres, City of El Paso, El Paso County, Texas (4421 Edgar Park) from A-O (Apartment-Office) to C-1 (Commercial). The penalty being as provided in section 20.68.010 of the El Paso Municipal Code. Applicant/Representative: Billy Graham; 5121 Round Rock, El Paso, TX 79924. ZC-01011
- C. An Ordinance changing the zoning of a Portion of Tract 7, H.G Foster Survey No. 256, City of El Paso, El Paso County, Texas (655 Redd Road) from A-O (Apartment-Office) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Pastor Ellen Fenter / Representative: John S. Mannus 7505 Windcrest, El Paso, TX 79912. ZC-01012
- D. An Ordinance changing the zoning of a Portion of Tract 5, Cinecue Park Subdivision, City of El Paso, El Paso County, Texas (8236 Troy Avenue) from R-F (Ranch-Farm) to R-2 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Nelida Amaro / Representative: Manuel Amaro Jr., 8201 McElroy Avenue, El Paso, TX 79907. ZC-01010
- E. An Ordinance amending Ordinance No. 009543 which changed the zoning of a Portion of Tract 2A, Block 41, Ysleta Grant, a Portion of a 20-foot road (Vacated), Tract 20, Block 52, Ysleta Grant, a Portion of Tract 1A, Block 41, all of Tracts 18, 19, and 21, Block 52, Ysleta

Grant and a Portion of a 20-foot road (Vacated) and which imposed certain conditions, by deleting condition 2 thereof for Lots 6, 7, 8, 9, and 10, Block 1, Americas Industrial Park, the penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Texas International Gas and Oil Company / Representative: C. F. Associates, Inc.; 5640 Montana Avenue, El Paso, TX 79925. SC-01003

- F. An Ordinance changing the zoning of all of Tracts 1-E and 1-E-6, Section 27, Block 81, Township 1, Texas & Pacific Railroad Surveys, City of El Paso, El Paso County, Texas (at Patriot Freeway North of Kenworthy Drive) as follows: Parcel 1, from A-O (Apartment-Office) to C-1 (Commercial); and Parcel 2, from A-2 (Apartment) to C-1 (Commercial), and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal code. Applicant: Merchant Partners, Inc. / Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936. ZC-00084

PUBLIC HEARING WILL BE HELD ON MAY 15, 2001 FOR ITEMS B - F

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Special Event Contract between the City of El Paso, on behalf of the Parks and Recreation Department, with the El Paso Heritage Week Festival authorizing the use of the San Jacinto Plaza, Pioneer Plaza, Cleveland Square, Calendar Park, and Murchison Park from April 28, 2001 through May 6, 2001, for the Heritage Week Festival.

Representative Hernandez made opening comments.

Ms. Suzanne Dipp, El Paso Heritage Week Festival Foundation representative, explained that this was the second annual event. She gave information regarding the Heritage Week events to include 60 events over a nine day period.

Mayor Carlos M. Ramirez explained the many activities over each day.

Motion made by Representative Hernandez, seconded by Representative Escobar and unanimously carried to approve, as revised, the above Resolution.

Resolution was revised to read "May 6, 2001" instead of May 5, 2001, as shown on the agenda.

***RESOLUTION**

WHEREAS, the Interlocal Agreement between the City of El Paso, the County of El Paso and the El Paso County Hospital District for the creation of the Community Center to direct the provision of certain mental health and mental retardation services in El Paso County requires each entity to create a screening committee to review applications submitted by persons interested in an appointment to the Board of Trustees, and once created by the City, to forward qualified applications to the City Council for selection.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

There is established a Screening Committee consisting of ten (10) members to assist the City Council in the review of applications for appointments to the Community Center for El Paso. The Committee members shall be appointed by the Council; one Committee member per each City Representative and two Committee members per the Mayor.

Regular appointments shall be for a term of two (2) years, with all initial terms expiring on April 23, 2003. Term limitations for appointments to the Committee shall be as provided by Section 2.04.050 of the El Paso Municipal Code. Holding over, as set forth in Section 2.04.040 of the El Paso Municipal Code, is prohibited.

Each May of every odd-numbered year, or at the first meeting of the Committee held after such date, the Committee shall select from among its members a chairman and vice-chairman. The Committee may adopt, subject to approval of the City Council, such rules and regulations for the conduct of its proceedings as may be deemed proper and not inconsistent with the Charter and ordinances of the city or laws of the state. No member of the Committee shall hold any elected public office. The Committee shall meet whenever necessary for the purpose of screening applications of persons seeking appointment to the Community Center Board of Trustees. The Committee shall be assigned staff by the Mayor to assist in its duties as deemed necessary for the Committee to carry-out its assigned screening tasks.

The Committee shall review applications for appointments to the Community Center for El Paso. During its review, the Committee shall initially determine whether the qualifications for a particular appointment, as set forth in the Interlocal Agreement are met. From the qualified applicants, the Committee shall select a minimum of three and a maximum of five applicants, whose names and applications shall be forwarded to the City Council for the Council's consideration for appointment to each vacant Trustee position. In making their selections, the Committee shall evaluate the credentials, experience and desire to perform meaningful community service of each applicant, and submit to the City Council the names of those candidates whose applications demonstrate a high level of capabilities and good character.

.....
*Motion made, seconded and unanimously carried to appoint Dr. John Tune to the City-County Board of Health by Mayor Ramirez. (Joint appointment by the City and County)
.....

.....
*Motion made, seconded and unanimously carried to approve budget transfer Public Works proposes to appropriate \$1,160,400 to fund Engine #1. Funding source is 80% TxDot STEP funds and 20% local match.
.....

Increase	\$928,320	to	255002/PW0061/106001	State Grant
Increase	\$ 80,000	to	255002/PW0061/208016	A/E
Increase	\$350,400	to	255002/PW0061/202215	Outside Contracts
Increase	\$ 4,000	to	255002/PW0061/208021	Prog Mgmt
Increase	\$339,200	to	255002/PW0061/208027	Construction

Increase	\$154,720	to	255002/PW0061/204406	Other Services
Decrease	\$232,080	from	135001/501536/208027	Construction
Increase	\$ 20,000	to	135001/PW0061/208016	A/E
Increase	\$ 87,600	to	135001/PW0061/202215	Outside Contracts
Increase	\$ 1,000	to	135001/PW0061/208021	Prog Mgmt
Increase	\$ 84,800	to	135001/PW0061/208027	Construction
Increase	\$ 38,680	to	135001/PW0061/204406	Other Services
Increase	\$232,080	to	135001/501536/207001	Intrafund Trf Out
Increase	\$232,080	to	135001/PW0061/107001	Intrafund Trf In

R E S O L U T I O N

WHEREAS, D.J. Contractors, Inc. ("Contractor") entered into that certain contract with the City of El Paso dated June 23, 1998 for the construction of the Air Cargo Site Infrastructure Project ("Project").

WHEREAS, Contractor entered bankruptcy protection on January 25, 2000 and assumed the contract for the Project by Order of the U.S. Bankruptcy Court, Western District of Texas, El Paso Division on October 25, 2000.

WHEREAS, Contractor has failed to finish the contract and has failed to perform the work according to the standards set out in the contract specifications, in that Contractor has failed to properly construct the pavement and has delayed completing the punch list for the Project.

WHEREAS, the City has given Contractor thirty (30) days written notice of its failure to finish the contract and its failure to perform the Project according to the contract specifications, specifically its failure to properly construct the pavement and to complete the punch list.

WHEREAS, the pavement is unacceptable and the punch list items have not been corrected.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

D.J. Contractors, Inc. is hereby declared to be in violation of the provisions of the contract in that:

1. It has failed to perform the work with sufficient workmen, equipment and materials to assure the prompt completion of the work.
2. It has failed to perform the work in accordance with the contract requirements and has refused to remove and replace the unacceptable work.
3. It has discontinued the prosecution of the work.
4. It has failed to resume work that has been discontinued within a reasonable time after notice to do so.
5. It has failed to complete the remaining punch list items after notice to do so.
6. It has failed to carry on the work in an acceptable manner.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

It is the intent of The City of El Paso to terminate the contract in accordance with Section 6.9 thereof due to violation of the provisions of the contract by the Contractor unless within ten (10) consecutive calenda

days after the serving of notice of intent to terminate upon the Contractor, such violations or delays shall cease and arrangement for correction, satisfactory to the Deputy Director of Engineering, shall be made.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

The City Attorney's Office shall serve upon the Contractor written notice of intent to terminate the contract, to contain the above reasons for such intent, and unless within ten (10) consecutive calendar days after the serving of such notice upon the Contractor, such violations or delays shall cease and such satisfactory arrangement for correction be made, the contract shall, upon the expiration of said ten (10) consecutive calendar days, cease and terminate. In the event of such termination, the City Attorney's Office shall immediately serve notice thereof upon the Surety and the Contractor.

Mayor Carlos M. Ramirez made opening comments.

Mr. Marvin Foust, Assistant City Attorney, explained that the project has been delayed and that the contractor has not finished the project and there are faults which the Engineering Department has identified. He stated that he is requesting that the City Council find the contractor to be in violation of the contract and that Council express their intent to terminate the contract in accordance with Section 6.9 of the contract which gives the contractor 10 days to make appropriate arrangements to correct the problems. If the contractor is unable to do this within the 10 day period then the termination will occur after the 10 day period.

Representative Sariñana asked why the City was given the contractor an additional 10 days.

Mr. Foust explained that this was language included in the contract.

Mr. Pat Abeln, Director of Aviation, stated he concurred with the Legal Department's recommendation and supports the recommendation. He expounded on other projects ongoing at the Airport.

Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to approve the above Resolution.

.....
Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Armando Chacon, 00-C-129 (551.071)
- B. Raul Valencia, et al vs. City of El Paso, Cause No. EP-00-CA-0020-H (551.071)
- C. Dr. George M. Isaac, et al v. City of El Paso; Cause No. 99-865, Our File No. 99-S-21 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:
.....

Motion made by Representative Medina, seconded by Representative Cook and carried that the claim entitled **ARMANDO CHACON**; Our File No. 00-C-129 be **DENIED** as recommended by the City Attorney.

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **RAUL VALENCIA and DESERT ADAPT vs. CITY OF EL PASO**; Cause No. EP-00-CA-0020-H; Our File No. 00-S-31, as recommended by the City Attorney.

Motion made by Representative Medina, seconded by Representative Cook and carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **Dr. George M. Isaac, et al v. City of El Paso**; Cause No. 99-865, Our File No. 99-S-21; as recommended by the City Attorney.


Motion made by Representative Cook, seconded by Representative Hernandez and unanimously carried to adjourn this meeting at 12:25 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter

Carole Hunter, City Clerk



Charles McNabb, City Attorney